

UTILITIES DIVISION[199]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to Iowa Code sections 17A.4, 474.5, and 476.2, the Utilities Board (Board) gives notice that on October 9, 2017, the Board issued an order in Docket No. RMU-2016-0030, In re: Review of Forms Rules [199 IAC Chapter 2], “Order Commencing Rule Making,” proposing to update and streamline Chapter 2 of the Board’s rules. The order approving this Notice of Intended Action can be found on the Board’s Electronic Filing System (EFS) Web site, efs.iowa.gov, in Docket No. RMU-2016-0030.

To develop the proposed amendments, the Board sought input from stakeholders. Stakeholder comments were filed by the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice; MidAmerican Energy Company; and the Iowa Communications Alliance.

Pursuant to Iowa Code section 17A.4(1)“a” and “b,” any interested person may file a written statement of position pertaining to the proposed amendments. The statement must be filed on or before November 14, 2017. The statement should be filed electronically through the Board’s EFS. Instructions for making an electronic filing can be found on the EFS Web site at efs.iowa.gov. Filings shall comply with the format requirements in 199 IAC 2.2(2) and shall clearly state the author’s name and address and make specific reference to Docket No. RMU-2016-0030. Paper comments may be filed only with the approval of the Board.

No oral presentation is scheduled at this time. Pursuant to Iowa Code section 17A.4(1)“b,” an oral presentation may be requested or the Board on its own motion after reviewing the comments may determine an oral presentation should be scheduled. Requests for oral presentation should be filed in EFS by November 14, 2017, in Docket No. RMU-2016-0030.

After analysis and review of this rule making, the Board tentatively concludes that the proposed amendments, if adopted, will not have a detrimental effect on employment in Iowa.

These amendments are intended to implement Iowa Code sections 476.2, 474.5, and 546.7.

The following amendments are proposed.

ITEM 1. Amend rule 199—2.1(17A,474) as follows:

199—2.1(17A,474) Forms—general Documents filed with the utilities board. Documents shall be filed with the board in compliance with the provisions of 199—Chapter 14. Documents filed with the board shall be double spaced, except that long quotations may be single spaced and indented. All documents, except exhibits, shall be formatted so as not to exceed 8½ inches by 11 inches in size with inside margins not less than 1 inch in width. Whenever practical, all exhibits of a documentary character should conform to the foregoing requirements of size and margin. Documents should contain the name and address of the filing party and, if the filing party is represented by an attorney, the name and office address of such attorney. The board may reject a document which does not substantially conform with the foregoing requirements, with a statement of reasons for such rejection. The board may, if it deems appropriate, prescribe different or additional requirements for documents to be filed in a particular proceeding.

2.1(1) Purpose and scope. These rules shall govern all forms prescribed by the Iowa utilities board (hereinafter referred to as board) for use in all proceedings before the board, provided however, that the board may prescribe additional or different forms to be utilized in a specific case as necessary.

2.1(2) Forms compliance. All papers filed with the board shall substantially conform with the requirements set forth below. The board, without prejudice to any party to a proceeding, may reject a

paper which does not substantially conform with the requirements of this chapter, giving a statement of reasons for the rejection.

~~2.1(3) General requirements.~~ Documents filed with the board shall be printed, typewritten, or otherwise mechanically reproduced and double spaced, except that long quotations may be single spaced and indented. All papers, except exhibits, shall be cut or folded so as not to exceed 8½ inches by 11 inches in size with inside margins not less than 1 inch in width. Whenever practical, all exhibits of a documentary character should conform to the foregoing requirements of size and margin. Papers should contain the name and address of the party filing the paper and, if represented by an attorney, the name and office address of such attorney. Except as otherwise provided in these rules, the original of all papers and exhibits should be filed with the board. The person filing the paper or exhibit shall also furnish additional copies for each respondent or party to be served by the board and such other copies as the board may request.

This rule is intended to implement Iowa Code section 474.5.

ITEM 2. Rescind rule 199—2.2(17A,474) and adopt the following new rule in lieu thereof:

199—2.2(17A,474) Forms. The board has made available on its Web site, iub.iowa.gov, sample forms of documents routinely filed with the board for various purposes. Except to the extent expressly provided by statute or board rule, the use of any such form is not mandatory, and the forms are intended only as examples. To the extent that any statute or board rule prescribes the content of a document, that provision shall govern notwithstanding any sample form. Subject to any such content requirement established by statute or rule, the board may, if it deems appropriate, prescribe specific content requirements for documents to be filed in a particular proceeding.

ITEM 3. Rescind and reserve rule **199—2.4(17A,474)**.